IN THE HIGH COURT OF JUDICATURE, CHHATTISGARH AT BILASPUR

(4)

W. P(S) 856 OF 2006 7 CF 1002

PETITIONER

Shrimati Chhaya Dasgupta,
W/o – Subrat Dasgupta, ,
Assistant Teacher
Aged about 54
Govt. Middle School, Mana Camp,
R/O – Mana Camp
Distt - Raipur (C.G.)

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VERSUS

RESPONDENTS

1. Govt. of Chhattisgarh
Through Secretary School Education
Department, Mantralaya D.K.S. Bhavan
Raipur (C.G.)

2. Director,
Public Instructions Deptt.
Directorate, Raipur (C.G.)

3. Distt. Education Officer,
Distt. - Raipur (C.G.)

C.R. No. 1876/06
Presented by Sh. A.S. Rajpurohit
dated 23/12/06

WRIT PETITION UNDER ARTICLE 226/~~227~~ OF THE CONSTITUTION OF India FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC.

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HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 856 of 2007

Petitioner : Shrimati Chhaya Dasgupta

Versus

Respondents : Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Anil Singh Rajput, Advocate for the Petitioner.

Shri Satish Gupta, Dy. Govt. Advocate for the State/respondents.

ORDER

(Passed on this 13th day of February, 2007)

1. The petitioner is working as Assistant Teacher in the Government Middle School, Mana Camp, Raipur. The petitioner obtained B. Ed. Examination certificate on 14.7.1992, on his own expenses.

2. Learned counsel appearing for the petitioner submits that the question involved, herein asto whether the teacher, who obtained B.Ed. Examination Certificate on his own expenses, is entitled to two advance increments.

3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (2006 (II) MPJR-CG 96). This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. /B.T.I. Examination Certificate on their own

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expenses, are covered by the circular dated 24.12.98 (Annexure P/7) issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

5. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Bablu